

The Honorable John C. Coughenour

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA**

DANIEL MITCHELL, et al.,

Plaintiffs,

v.

CHUCK ATKINS, et al.,

Defendants,

SAFE SCHOOLS SAFE COMMUNITIES,

Intervenor-Defendant.

NO. 3:19-cv-05106-JCC

STIPULATED MOTION AND  
[PROPOSED] ORDER EXTENDING  
DEADLINES

NOTE ON MOTION CALENDAR:  
SEPTEMBER 14, 2023

**STIPULATION**

1. Plaintiffs and Defendants intend to file cross motions for summary judgment. Rather than each party filing separate briefs, resulting in six briefs, the Parties have conferred and jointly agreed to a briefing schedule to allow for the submission of four briefs to the Court, pursuant to Local Civil Rule 7(k). The Parties have also conferred and agreed to an extension of the word count limits given the combined briefing. Good cause exists for this request, and the parties hereby stipulate to the following:

2. Parties propose the following dispositive motion briefing schedule and word count limits:

- Plaintiffs file their Motion for Summary Judgment, not to exceed 8,400 words, November 14, 2023, noted for January 30, 2024.

- Any Defendants may file their Combined Cross Motions for Summary Judgment and Oppositions to Plaintiffs' Motion for Summary Judgment not to exceed 12,000 words, by December 12, 2023, noted for January 30, 2024. Intervenor-Defendant may file a supplemental brief not to exceed 6,000 words.
- Plaintiffs will file their Combined Reply in Support of Plaintiffs' Motion for Summary Judgment and Opposition to Defendants' Joint Motions for Summary Judgment, not to exceed 10,000 words, by January 9, 2024.
- Defendants will file their Replies in Support of their Motions for Summary Judgment, not to exceed 4,200 words, by January 30, 2024. Intervenor-Defendant may file a supplemental brief not to exceed 2,100 words.

The Parties believe that the issues in this case are appropriate for resolution on summary judgment and, particularly given that Plaintiffs will not be offering any expert testimony, that it is likely no trial will be necessary at all. As such, the Parties request that the other deadlines in this case be suspended pending resolution of the dispositive motions, to be reset if any issues or claims remain in this case following summary judgment.

DATED this 14th day of September 2023.

Presented by:

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Attorneys for Intervenor-Defendant Safe Schools

Safe Communities

**ORDER**

**IT IS HEREBY ORDERED:**

That the stipulation of the Parties is APPROVED and ADOPTED.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
HON. JOHN C. COUGHENOUR  
Chief United States District Judge

**DECLARATION OF SERVICE**

I hereby declare that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court's CM/ECF System which will send notification of such filing to all counsel of record.

I declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct.

DATED this 14th day of September 2023, at Tacoma, Washington.

s/ R. July Simpson

R. JULY SIMPSON, WSBA #45869

Assistant Attorney General